

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence
of the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington
December 9, 2020

WILLIAM M. McCOOL, Clerk
By _____ Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

NO. CR20-214 RSM

Plaintiff,

INDICTMENT

v.

MARCUS WILLIAM LOWE,

Defendant.

The Grand Jury charges that:

COUNT 1
(Attempted Enticement of a Minor)

On or about October 1, 2020, in King County, within the Western District of Washington, and elsewhere, MARCUS WILLIAM LOWE attempted to use a means and facility of interstate and foreign commerce to knowingly persuade, induce, entice, and coerce an individual who had not attained the age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense—to include, RCW 9A.44.073 (Rape of a Child in the First Degree).

All in violation of Title 18, United States Code, Section 2422(b).

COUNT 2
(Possession of Child Pornography)

3 Beginning on a date unknown but continuing until on or about October 1, 2020, in
4 King County, within the Western District of Washington, and elsewhere, MARCUS
5 WILLIAM LOWE knowingly possessed matter that contained visual depictions, the
6 production of which involved the use of minors engaging in sexually explicit conduct and
7 the visual depictions were of such conduct, that had been mailed and shipped and
8 transported in and affecting interstate and foreign commerce by any means, including by
9 computer, and which had been produced using materials that had been mailed and
10 shipped and transported in and affecting interstate and foreign commerce by any means,
11 including by computer, and the depictions of child pornography involved include images
12 of a prepubescent minor and a minor who had not attained 12 years of age.

All in violation of Title 18, United State Code, Section 2252(a)(4)(B), (b)(2).

COUNT 3
(Assault on a Federal Officer)

On or about October 1, 2020, in King County, within the Western District of Washington and elsewhere, MARCUS WILLIAM LOWE intentionally and forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with a Federal Bureau of Investigation Special Agent, an officer and employee of the United States, while the Special Agent was engaged in, and on account of, the Special Agent's official duties.

It is further alleged that MARCUS WILLIAM LOWE made physical contact with and inflicted bodily injury on the Special Agent during the assault.

All in violation of Title 18, United States Code, Section 111(a)(1), (b).

ALLEGATIONS OF FORFEITURE

The allegations contained in Counts 1–2 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures to the United States pursuant to Title 18, United States Code, Sections 2428 and 2253(a).

1 Upon conviction of the offense alleged in Count 1, the defendant, MARCUS
2 WILLIAM LOWE, shall forfeit to the United States, pursuant to Title 18, United States
3 Code, Section 2428, any property he used to commit or to facilitate the commission of his
4 offense, any proceeds of the offense, and any property derived from such proceeds.

5 Upon conviction of the offense alleged in Count 2, the defendant, MARCUS
6 WILLIAM LOWE, shall forfeit to the United States, pursuant to Title 18, United States
7 Code, Section 2253(a), any property he used to commit or to promote the commission of
8 his offense, or any property traceable to such property; any proceeds of the offense; and
9 any visual depiction described in Title 18, United States Code, Sections 2251, 2251A,
10 2252, 2252A, 2252B, or 2260, or any book, magazine, periodical, film, videotape, or
11 other matter which contains any such visual depiction, which was produced, transported,
12 mailed, shipped, or received, in violation of Chapter 110, Title 18, United States Code.

13 **Substitute Assets.** If any of the property described above, as a result of any act or
14 omission of the defendant:

- 15 a. cannot be located upon the exercise of due diligence;
- 16 b. has been transferred or sold to, or deposited with, a third party;
- 17 c. has been placed beyond the jurisdiction of the court;
- 18 d. has been substantially diminished in value; or,
- 19 e. has been commingled with other property which cannot be divided without
20 difficulty,

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1 it is the intent of the United States to seek the forfeiture of any other property of the
2 defendant, up to the value of the above-described forfeitable property, pursuant to Title
3 21, United States Code, Section 853(p).

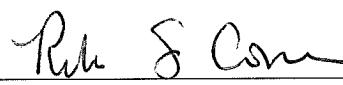
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5 A TRUE BILL:
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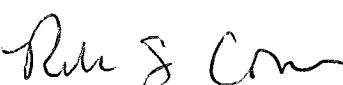
8 DATED: *12/9/2020*
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(signature of the foreperson redacted
pursuant to the policy of the Judicial
Conference of the United States)

10 _____
11 FOREPERSON
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13

14 
BRIAN T. MORAN
15 _____
United States Attorney

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GRADY J. LEUPOLD
17 Assistant United States Attorney
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MATTHEW P. HAMPTON
20 Assistant United States Attorney
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